

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA**

TEVIN JAMAL ANDERSON, SR.	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-25-13-J
	)	
CHRISTE QUICK, Warden,	)	
	)	
Defendant.	)	

**ORDER**

Plaintiff, a state prisoner appearing pro se, filed a Complaint under 42 U.S.C. § 1983 alleging constitutional violations occurring at the Oklahoma State Penitentiary in McAlester, Oklahoma. [Doc. No. 1]. The matter was referred for initial proceedings to United States Magistrate Judge Chris M. Stephens consistent with 28 U.S.C. § 636(b)(1)(B), (C). Judge Stephens screened the Complaint and issued a Report and Recommendation finding that Plaintiff should have filed his Complaint in the United States District Court for the Eastern District of Oklahoma. However, in part because Plaintiff's allegation that he missed a single breakfast in December 2024 likely fails to state a valid claim for relief, Judge Stephens recommended dismissal rather than transfer to that jurisdiction. [Doc. No. 5]. Plaintiff did not object and has waived his right to appellate review of the factual and legal issues addressed in the Report and Recommendation. *See Casanova v. Ulibarri*, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 5] and DISMISSES Plaintiff's Complaint without prejudice. A separate judgment will enter.

IT IS SO ORDERED this 21<sup>st</sup> day of February, 2025.



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BERNARD M. JONES  
UNITED STATES DISTRICT JUDGE